

I would like to make the following comments regarding the matter of Air-Ground Telephone Service and the Associated Spectrum.

First, it is apparent that the air-ground telephone services have never been highly utilized by passengers. I have even noticed a large number of aircraft in which "airphone" handsets have been removed in recent years. With the declines in air travel for various reasons, and the proliferation of low cost air carriers which would not tend to offer this service, this downward trend in utilization is not likely to be reversed. Since there is only a single carrier providing air-ground telephone service, and few planes carrying the equipment to even offer this service, it is my assertion that this service is no longer necessary and the spectrum should be reclaimed for other purposes.

Of primary importance is the growing need for spectrum in the 700-900 Mhz range by public safety agencies upgrading from local UHF and VHF equipment to statewide trunked systems. The additional demands of homeland security coordination will require these statewide systems to interface with other statewide systems on a national basis. As the number of agencies using this technology increases and the need for interoperability increases, existing spectrum overcrowding will reach new levels, and new spectrum must be made available. Given the current density of spectrum usage in the 700-900 Mhz range, the likelihood of additional spectrum being made available for this purpose is unlikely. The commission is currently presented with a unique opportunity to address this future need now, with a minimal disruption and dislocation of incumbent users and licensees.

There is already significant spectrum allocated for wireless broadband, PCS, and GSM services both land based and via satellite which could be used for other air-ground services. There is however only 6 Mhz of spectrum in the 800 Mhz range (821-824 and 866-869) which is currently allocated to the public safety national plan. In the "Consensus Plan" to eliminate interference in the public safety systems, it is suggested that moving public safety users to the 806-816/ 851-861 Mhz portion of the band from their current allocations is the appropriate solution. If this were done, then it makes sense to reallocate the Part 22 frequencies to public safety as well, gaining additional needed bandwidth, and also providing a greater barrier between the public safety allocations and the adjacent Cellular A/B band allocations. Since any reallocation of this spectrum would have the potential for interference with the new public safety allocations suggested in the "Consensus Plan", it makes sense to reallocate these frequencies to this usage.

The allocation of this additional spectrum for public safety as mentioned will help to ease the congestion and interference problems currently experienced by existing public safety, while allowing for additional growth not currently possible under current constraints. This in turn will enable their systems to grow to the size and complexity needed to provide interoperability, and reliability. This will be accomplished with minimal dislocation of existing services and inconvenience to users since there is only a single provider (Verizon) and the system is minimally used. This is a unique opportunity to act in the public interest, reallocating spectrum to public safety where it is needed. I urge the commissioners to consider this carefully.